

Application No.: 10/768297
Docket No.: AD6990USNA

FEB 12 2007

Page 16

REMARKS

The specification is amended herein to rectify an apparent error through which two starting materials and their quantities were inadvertently omitted from Example 1. A basis for this amendment may be found in the other Examples of the invention and in the claims as originally filed. Those of skill in the art are capable of calculating the quantity of each starting material using stoichiometric principles. Accordingly, this amendment introduces no new matter into the specification.

Independent claims 1, 88 and 91 are also amended herein to specify that the glycol component consists essentially of 100.0 to 95.0 mole percent of 1,3-propanediol. Claims 4 and 92 are cancelled without prejudice herein, and claim 93 is amended, for consistency with the features of newly amended claims 1 and 91. A basis for these amendments may be found in the claims as originally filed and in the Examples of the invention, *inter alia*. Accordingly, these amendments introduce no new matter into the specification.

Turning now to the Official Action dated October 11, 2006, claims 1 to 93 are rejected under 35 U.S.C. § 102 as anticipated by and under 35 U.S.C. § 103 as obvious over U.S. Patent No. 6,368,710, issued to Hayes (hereinafter "Hayes"). These are the sole substantive reasons set forth in the Official Action why claims 1 to 93 should not be allowed. Applicant respectfully traverses these rejections for the reasons set forth below.

Hayes describes a sulfonated copolyester that is required to include isosorbide. See the Abstract of Hayes, and column 6 at lines 30 to 56. Independent claims 1, 88 and 91 as amended, however, require that the glycol component of the sulfonated aliphatic-aromatic copolyester consist essentially of 1,3-propanediol. The second glycol component, which may optionally have comprised isosorbide (see the specification on page 14 at lines 3 to 25, and particularly at line 10), is now absent from the claimed sulfonated aliphatic-aromatic copolyester, except as a minor impurity, in accord with the well-established meaning of the transitional term "consisting essentially of."

Application No.: 10/768297
Docket No.: AD6990USNA

Page 17

Therefore, the Hayes reference does not identically set forth every element of the claimed invention, nor does it teach or suggest every element of the claimed invention. Consequently, newly amended independent claims 1, 88 and 91 are neither anticipated by nor obvious over the Hayes reference. Accordingly, Applicants respectfully request that the rejections of claims 1, 88 and 91 under 35 U.S.C. §§ 102 and 103 be withdrawn upon reconsideration.

The rejections of claims 4 and 93 are rendered moot by their cancellation without prejudice herein. Claims 2, 3 and 5 to 87 depend, directly or indirectly, from independent claim 1. Likewise, claims 89 and 90 depend from 88, and claim 93 depends from claim 91. It follows by statute that the dependent claims are also not anticipated by and not obvious over Hayes for at least the reasons set forth above with respect to newly amended independent claims 1, 88 and 91. Consequently, Applicants respectfully request that the rejections of claims 2, 3, 5 to 87, 89, 90, and 93 under 35 U.S.C. §§ 102 and 103 also be withdrawn upon reconsideration.

Conclusion

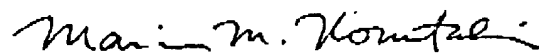
A Petition for an Extension of Time for one month and the required fee for the extension are filed concurrently herewith. Should any further fee be required in connection with the present response, the Examiner is authorized to charge such fee, or render any credit, to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Application No.: 10/768297
Docket No.: AD6990USNA

Page 18

In view of the above amendments and remarks, it is believed that pending claims 1 to 93 are in condition for allowance, and such action is respectfully requested. In closing, the Examiner is invited to contact the undersigned attorney by telephone at (302) 892-1004 to conduct any business that may advance the prosecution of the present application.

Respectfully submitted,



MARIA M. KOURTAKIS

Attorney for Applicant
Kelly Law Registry on behalf of DuPont Legal
Registration No. 41,126
Telephone: (302) 892-1004
Facsimile: (302) 992-3257

Dated: February 12, 2007